

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

|  |
|--|
| <b>FILED</b>                                   |
| <b>DATE:</b> <u>11-1-10</u>                    |
| <u>2:22</u> <b>O'Clock</b> <u>P</u> <b>.M.</b> |
| <b>JEANNE HICKS, CLERK</b>                     |
| <b>BY:</b> <u>Tonya Brogdon</u>                |
| <b>Deputy</b>                                  |

DIVISION PRO TEM B

JEANNE HICKS, CLERK

HON. WARREN R. DARROW

BY: T. Brogdon, Deputy Clerk

CASE NO. V1300CR201080049

DATE: November 1, 2010

TITLE:

COUNSEL:

STATE OF ARIZONA,

Yavapai County Attorney  
Sheila Polk/Bill Hughes/Steven Sisneros  
(via OnBase),

(Plaintiff)

(For Plaintiff)

v.

JAMES ARTHUR RAY,

Thomas K. Kelly  
(via electronic mail)  
(Co-Counsel for Defendant)

(Defendant)

Luis Li/Brad Brian/Truc Do  
MUNGER TOLLES & OLSON LLP  
355 South Grand Avenue Thirty-Fifth Floor  
Los Angeles, California 90071-1560,  
(Co-Counsel for Defendant, *Pro Hac Vice*)

HEARING ON:  
ORAL ARGUMENT RE MOTION  
FOR PROTECTIVE ORDER

NATURE OF PROCEEDINGS

COURT REPORTER  
Mina Hunt

START TIME: 1:28 p.m

TELEPHONIC APPEARANCES: Sheila Polk, Counsel for State  
Kathy Durrer, Assistant to Counsel for State  
Truc Do, Co-Counsel for Defendant *Pro Hac Vice*  
Pam Moreton, Victim Services Representative, in person

Defense Counsel waives Defendant's presence for this hearing and believes that Mr. Kelly has filed a written motion with the Court waiving Defendant's presence not only for this hearing but for the upcoming evidentiary hearing

The Court advises the waiver has not been received and accepts the waiver for this proceeding.

Counsel for the State presents argument regarding the protective order.

Defense Counsel presents argument

Counsel for State presents further argument.

**IT IS ORDERED** taking this matter under advisement and confirming the hearing dates that have been set

Defense Counsel requests the Court take note of Rule 15.5(d) requiring the Court to take custody of the notes that are at issue and to seal it as part of the record in the event the Court issues a protective order so Defendant's appellate rights are preserved.

The Court acknowledges Counsel has noted that rule and will address this at the time of the under advisement ruling.

**END TIME: 2:28 p.m.**

cc: Gallagher & Kennedy, P C., Counsel for Shore Family (e)  
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)  
Stone & Magnanini, Co-Counsel Brown Family, 150 John F Kennedy Pkwy, 4<sup>th</sup> Fl, Short Hills, NJ 07078  
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)  
Steptoe & Johnson, Counsel for KPNX Broadcasting Company (e)  
Perkins, Coie, Brown & Bain, Counsel KTVK-TV, 2901 N. Central, Ste. 2000, Phoenix, AZ 85012-2788  
Victim Services (e)  
Division PTB (e) (w/file under advisement)  
Court Administration  
Jeanne Hicks, Clerk of Court  
Customer Service Supervisor, Verde